

## KAUFMAN DOLOWICH

USDC SDNY

DOCUMENT

ELECTRONICALLY

DOC #:

DATE FILED:

7/16/2025

Patrick M. Kennell  
E: pkennell@kaufmandolowich.com  
D: 646.599.9420

Kaufman Dolowich LLP  
40 Exchange Place, 20<sup>th</sup> Floor  
New York, NY 10005  
Telephone: 212.485.9600  
Facsimile: 212.485.9700  
www.kaufmandolowich.com

MEMO ENDORSED

July 15, 2025

VIA ECF

The Honorable Colleen McMahon, U.S.D.J.  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 2550  
New York, New York 10007

Extension granted, on the  
condition outlined in the letter  
motion at docket #4.

Re: **LETTER MOTION REGARDING STIPULATED REQUEST FOR EXTENSION  
OF DEADLINE FOR APPELLANT'S OPENING BRIEF**

*Deborah J. Piazza, as Chapter 7 Trustee of Transfix Prods. LLC v. Michael Blatter*  
Case No. 1:25-cv-05750-CM (Bankruptcy Court Appeal)

7/16/2025

Dear Judge McMahon:

Our firm represents Appellee Michael Blatter in this appeal from the U.S. Bankruptcy Court for the Southern District of New York. Jointly with undersigned counsel for Appellant Deborah J. Piazza, as Chapter 7 Trustee of Transfix Productions LLC, we write in accordance with Rule D.2 of Your Honor's Individual Practices and Procedures, to respectfully request a one-month extension of the deadline for the Trustee to file her opening appellant's brief, subject to and without waiver of any arguments the Appellee has with regard to subject matter jurisdiction or the ripeness of the Trustee's appeal.

The Bankruptcy Court issued a Memorandum Decision and Order Resolving Defendant's Motion to Dismiss on June 13, 2025, which granted Appellee's motion to dismiss the Trustee's Complaint in the underlying adversary proceeding without prejudice. In the June 13<sup>th</sup> Decision and Order, the Bankruptcy Court directed the parties to complete previously-agreed mediation—which the parties have scheduled for July 21, 2025—and the Bankruptcy Court scheduled a Pre-Trial Conference before Bankruptcy Judge James L. Garrity, which was later rescheduled to August 27, 2025. On June 24, 2025, the Trustee filed in the Bankruptcy Court a Notice of Appeal of the June 13<sup>th</sup> Decision and Order, and the appeal was docketed by the Clerk of the District Court on July 11, 2025. Counsel for Mr. Blatter, as Appellee, has raised questions to the Trustee's counsel concerning the ripeness of the Trustee's appeal and whether the June 13<sup>th</sup> Decision and Order is final and appealable. **But given that the parties are scheduled to participate in a further mediation session on July 21, 2025, they have agreed to request from this Court an extension of the Trustee's current appellant's opening brief deadline on the express condition**

**that Mr. Blatter is not waiving any arguments as to ripeness and is expressly retaining the right to file a motion to dismiss the appeal on the basis of subject matter jurisdiction.**

The original deadline for the Trustee to file her opening appeal brief is August 11, 2025. There have been no previous requests for an extension of the deadline. Mr. Blatter consents to the requested extension, expressly on the condition that he does not waive any arguments as to the ripeness of the Trustee's appeal or waive the right to file a motion to dismiss the appeal for lack of subject matter jurisdiction on the basis that the Decision and Order appealed from is not final and appealable. The requested extension does not affect any other scheduled dates.

Accordingly, the parties respectfully request that the Court grant the requested extension of the deadline for the Trustee to file her appellant's opening brief to **September 11, 2025** on the non-waiver conditions described above.

We appreciate the Court's consideration of this request.

Respectfully submitted,

KAUFMAN DOLOWICH, LLP

/s/ Patrick M. Kennell

Patrick M. Kennell

pkennell@kaufmandolowich.com

Kathleen A. Mullins

kathleen.mullins@kaufmandolowich.com

40 Exchange Place – 20<sup>th</sup> Floor

New York, New York 10005

Tel: (212) 485-9600

*Attorneys for Appellee*

MICHAEL BLATTER

TARTER KRINSKY & DROGIN LLP

/s/ Robert A. Wolf (With Permission)

Robert A. Wolf

rwolf@tarterkrinsky.com

Jacob B. Gabor

jgabor@tarterkrinsky.com

1350 Broadway, 11th Floor

New York, New York 10018

Tel: (212) 216-8000

*Attorneys for Appellant*

DEBORAH J. PIAZZA, AS CHAPTER 7

TRUSTEE OF TRANSFIX PRODUCTIONS

LLC